

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	)	
	)	
D. Swanson et al.	)	Group Art Unit: 3739
	)	
Serial No.: 10/784,316	)	Confirmation No.: 2158
	)	
Filed: February 19, 2004	)	Examiner: Johnson III, Henry M.
	)	
For: COOLED PROBES AND APPARATUS	)	
FOR MAINTAINING CONTACT	)	
BETWEEN COOLED PROBES AND	)	
TISSUE	)	

AMENDMENT TRANSMITTAL

**M/S: Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**1. Documents enclosed:**

Transmitted herewith in response to the Office Action mailed July 10, 2007, for the above-identified application, are the following:

- ☒ Transmittal with certificate of transmittal (2 pages);
- ☒ Amendment and Response (16 pages);
- ☒ Information Disclosure Statement Letter (3 pages), form SB08 with 25 references, and copies of 3 foreign references and 37 non patent literature references.

CERTIFICATE OF TRANSMITTAL

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below via the USPTO-EFS-Web filing system.

October 10, 2007  
Date of deposit

Nancy Rushton  
Name of Person transmitting Paper

/Nancy Rushton/  
Signature of Person depositing Paper

**2. Request for EXTENSION of Time:**

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$60.00	\$120.00
<input type="checkbox"/> two months	\$225.00	\$450.00
<input type="checkbox"/> three months	\$510.00	\$1,020.00
<input type="checkbox"/> four months	\$795.00	\$1,590.00
<input type="checkbox"/> five months	\$1,080.00	\$2,160.00
<b>Fee</b>		<b>\$0.00</b>

☐ If any extension fee is required, please consider this a petition therefore.

**3. Calculation of Fees:**

<b>FEE:</b>	
Submission of an Information Disclosure Statement 37 CFR § 1.17(p)	\$180.00
Extension of Time (from above)	\$0.00
Fees for one additional independent claim 37 CFR § 1.16(h)	210.00
<b>TOTAL FEES SUBMITTED HERewith</b>	<b>\$390.00</b>

**4. Method of Payment of Fee:**

- ☒ Payment made through EFS-Web filing system by credit card in the amount of **\$390.00**.
- ☐ Charge Vista IP Law Group LLP Deposit Account No. **50-1105** in the amount of **\$0.00**.
- ☒ The Commissioner is authorized to charge Vista IP Law Group LLP Account No. **50-1105** for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, and to credit any overpayments to said Deposit Account No. **50-1105**

Dated: October 10, 2007

By: /Gary D. Lueck/  
 Gary D. Lueck  
 Reg. No. 50,791

Customer Number  
**41696**  
 PATENT  
 TRADEMARK OFFICE

VISTA IP LAW GROUP LLP  
 12930 Saratoga Avenue, Suite D-2  
 Saratoga, CA 95070  
 Phone (408) 777-2905  
 Fax (408) 877-1662